

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**BESSEMER SYSTEM FEDERAL CREDIT)
UNION,)**

Plaintiff,)

vs.)

**FISERV SOLUTIONS, LLC, f/k/a FISERV)
SOLUTIONS, INC., and FISERV, INC.,)**

Defendants.)

Case No. 2:19-cv-00624-RJC

**DEFENDANTS’ MOTION FOR LEAVE TO FILE CONSOLIDATED MEMORANDUM
OF LAW IN OPPOSITION TO BESSEMER’S DISCOVERY MOTIONS**

Defendants Fiserv Solutions, LLC, f/k/a Fiserv Solutions, Inc., and Fiserv, Inc. (together, “Defendants”), move this Court for leave to file a consolidated memorandum of law in opposition to the following motions: (a) Bessemer’s Motion to Compel Fiserv to Log Privileged Communications after June 30, 2019 (Dkt. 154); (b) Bessemer’s Motion to Compel Production of Security Audit Documents from Fiserv (Dkt. 161); (c) Bessemer’s Motion for Protective Order Regarding Fiserv’s Request for Bessemer’s Voicemails (Dkt. 164); and (d) Bessemer’s Motion for Protective Order Regarding Fiserv’s Request for Security Review Discovery (Dkt. 167) (collectively, the “Discovery Motions”).¹ In support of this Motion, Defendants state as follows:

1. Bessemer’s Discovery Motions involve common facts and law. Responding to them individually would result in duplicative and redundant arguments and 40 pages of briefing.
2. Defendants believe that a consolidated memorandum, not to exceed 21 pages, is the most concise and efficient method of responding and the one that will be most helpful to the Court. A consolidated memorandum will reduce the cumulative length of the response by nearly half.

¹ Defendants will respond to Bessemer’s Motion to Compel Responses to Bessemer’s Second Request for Production (Dkt. 157), which raises different issues, separately.

3. Permitting a consolidated response will conserve judicial resources and will not prejudice Bessemer in any way. Defendants will not object to Bessemer filing either a consolidated reply, or four separate replies, in support of the Discovery Motions.

4. Defendants conferred with Bessemer regarding the relief sought by this Motion by email on February 17 and 18, 2022. Bessemer refused to consent to the Motion, asserting that it lacked “good cause.”

WHEREFORE, Defendants respectfully request that the Court grant leave to file a consolidated memorandum of law, not to exceed 21 pages in length, in opposition to Bessemer’s Discovery Motions.

Dated: February 18, 2022

Respectfully submitted,

/s/ Jesse L. Byam-Katzman

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